NO. 87-1994

Supreme Court, U.S.
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IN THE

SUPREME COURT OF THE UNITED STATES

OCTOBER TERM 1987

RICHARD L. DUGGER, et al.,

Petitioners,

vs.

ROBERT L. LAWSON, et al.,

Respondents.

BRIEF OF RESPONDENTS IN OPPOSITION TO THE GRANTING OF A WRIT OF CERTIORARI

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QUESTION PRESENTED

Whether the censorship of religious publications, allegedly because they are racist and inflammatory and a threat to prison security, can be sustained in the absence of any objective evidence that religious literature, even racist religious literature, has ever been the cause of violence or other prison disruption in any prison, anywhere in the country?

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The initial decision of the court of appeals is reported as Lawson v. Dugger, 840 F.2d 781 (11th Cir. 1987). The decision on rehearing is reported at 840 F.2d 779 (11th Cir. 1988).

The decision of the district court is reported as Lawson v. Wainwright, 641 F. Supp 312 (S.D. Fla. 1986).

References in this brief are to both the official citations and the Appendix prepared by the petitioners.

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STATEMENT OF THE CASE

This statewide class action arose when chaplains employed by the Florida Department of Corrections refused to recognize the Hebrew Israelite faith as a bona fide religion, refused to permit inmates who were members of the Hebrew Israelite faith the

same privileges afforded to inmates of other, recognized religions, and excluded from the prison system the religious literature of the Hebrew Israelite faith.

The primary issue litigated before the district court involved the exclusion of eight Hebrew Israelite publications. The rationale for their exclusion was that they were inciteful [sic], racist, inflammatory and derogatory toward other races and faiths and posed a threat to the security of the Florida prison system.[1] Defendants excluded a standard version of the King James edition of the Bible, to which six prefatory and eighty-six titled illustrations were added. In describing the six (6) pictures which led defendants to exclude the Bible, the district court stated:

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1. Respondents agree that portions of some of the literature are racist. They have never agreed that any of the material is inflammatory and take exception to statements in the Petition for a Writ of Certiorari to that effect. Nor, for that matter, did the district court or the circuit court ever conclude that any of the literature was inflammatory.

> While most of these drawings serve to simply illustrate that various Biblical characters were black persons, several depict either acts of atrocity (e.g., an illustration of the mutilation and killing, by white men, of a pregnant black woman and her fetus entitled "Blacks Hate Whites Forever" included at page 120 of this 1,170 page-text) or constitute disparagement of so-called "false religions" (at page 1068, a mocking caricature of the Roman Catholic Pope entitled "The First Beast".)

641 F. Supp. at 316; A42.

Two of the excluded publications contained absolutely no offensive material. In this category were The Jail Ministry Notebook[2] and The Lamb's Letter. One item, the Divine Dietary Laws for Hebrew Israelites, was excluded because of two sentences buried on page 22 of this 29 page booklet.[3]

---

2. Defendants excluded the Notebook because of a caption on page 3 which read: "Instructions for handling the Jesus Christ Freak." Thereafter followed two paragraphs instructing Hebrew Israelites to tell Christians they were entitled to their own opinions and further instructing Hebrew Israelites that they were not to engage in debate about their interpretation of scripture.

3. In a section entitled "Read Labels" the (fn. cont. next page)

The defendants excluded Let My People Go primarily because it reprinted newspaper clippings about racial violence in turn-of-the-century America.[4] They excluded 100 Years of Lynching for much the same reason. Yahweh Judges America was excluded without any stated reason.[5]

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booklet began: "We must forever keep in mind as Hebrew Israelites, that this white man is the beast, the devil, satan, the man of sin and our enemy according to the holy word of the bible. Therefore, he cannot be trusted." There followed a lengthy discussion of the harmful nature of food additives and shellfish.

4. The major portion of this publication consisted of letters from Florida inmates complaining of their inability to practice their religion while in prison. The defendants also censored this publication because of a reference on page 34 to the white man as "Satan", because of a sentence on page 47 reading "The FALSE JEW is in our land today because we are blind, deaf, dumb, ignorant and dead to the WHOLE TRUTH", and because of a letter, on page 70, supposedly from the "Office of Nigger Extermination."

5. Defendants had not identified what portions of this book led to its exclusion, despite having a copy four months before trial. According to the district court, this "most recent of the Temple of Love publications is a purely prophetic vision of the redemption of the black race by Yahweh ben Yahweh at an unspecified future time." 641 F. Supp. at 317; A45.

The only publication with substantial racist content is entitled You Are Not a Nigger - Yahweh, God of Gods. According to the district court:

> In this, the most polemical of the works which the defendants have excluded from the various prisons, author Moses Israel presents "the world's best kept secret"; i.e., the lineage of black Americans as the lost tribe of Israel, as lessons to be presented to new and potential converts. The remainder of this book consists of a series of short tracts, mixing theological exhortations and slanted historical accounts of the black experience in this country, culminating in the message that the god Yahweh will return to liberate the Hebrew Israelite from domination by the "white devil".

641 F. Supp. at 316; A43. Defendants objected to 26 of its 96 pages because of words and phrases appearing on those pages such as "FALSE RELIGION OF CHRISTIANITY"; "White people who call themselves Jews today are FALSE IMPOSTERS"; "evil, wicked white devil"; "evil wicked white beast"; "blue-eyed white devil"; "Our HEBREW fathers were brutally manhandled and forced to submit to examination by the scrutinizing eyes of a

cold, vicious, evil, wicked, blood thirsty, white slave trader beast"; EVIL, WICKED, WHITE DEVIL"; "FALSE so-called Negro leaders"; "FALSE black preachers" and the like.

The criteria for exclusion of all literature, including religious literature, are set forth in the Florida Department of Corrections' Admissible Reading Material Rule, Section 33-3.12, Florida Administrative Code (1985), which, in relevant part, provides:

> Any publication shall be disapproved and may not be received by inmates if it:
>
> (c) Is dangerously inflammatory in that it advocates or encourages riot, insurrection, escape, disruption of the institution, violence or violation of law or Department or institution rule, the violation of which would present a serious threat to the security, order or rehabilitative objectives of the institution,
>
> * * * *
>
> (e) Otherwise presents a clear and substantial threat to the security, order, or rehabilitative objectives of the Correctional System, or to the safety of any person.

The parties agreed that Rule 33-3.12 set forth the applicable constitutional standard. The issue, therefore, was whether the publications at issue violated the Rule as written. The district court found that the literature, on its face, did not "advocate" or "encourage" improper conduct and, therefore, by definition could not be considered "dangerously inflammatory." In the absence of any evidence that racist religious literature had ever led to prison violence, the district court also found that the literature at issue did not otherwise present "a clear and substantial threat to the security [or] order" of the prison system. 641 F. Supp. at 327; A92.

On the eve of trial, defendants conceded that the Hebrew Israelite faith was a bona-fide religion (641 F.Supp. at 315; A38), that the representatives of the plaintiff class scheduled to testify "were sincere in their belief in and desire to practice the Hebrew Israelite religion" (641 F.

Supp. at 317, n.6; A112) and that the publications at issue were religious in nature.[6]

Plaintiffs admitted that some of the literature was racist or derogatory toward other races and religions. But plaintiffs established that racist or derogatory religious literature is not the cause of violence or other disruption of prison life. No evidence to the contrary was offered by the defendants.

After a week long trial, the district court found that the Hebrew Israelite literature did not meet those standards for exclusion set forth in the Admissible Reading Material Rule and enjoined the defendants to permit Florida inmates to receive and possess them.

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6. Defendants contended that 100 Years of Lynchings was not a religious publication because it was originally published elsewhere and because it dealt only with historical events. Since historical events play such an important role in the history of the world's religions, the district court rejected that position.

REASONS FOR DENYING THE WRIT

A.

THE DISTRICT COURT DECISION IS CONSISTENT WITH THE STANDARD ESTABLISHED IN TURNER V. SAFLEY -- THERE WAS SUBSTANTIAL EVIDENCE IN THE RECORD TO INDICATE THAT PRISON OFFICIALS HAD EXAGGERATED THEIR RESPONSE TO PERSONALLY DISTASTEFUL RELIGIOUS LITERATURE

Petitioners argue that application of the standard articulated in Turner v. Safley, ____ U.S. ____ , 107 S.Ct. 2254, 96 L.Ed.2d 64 (1987) and O'Lone v. Estate of Shabazz, ____ U.S. ____, 107 S.Ct. 2400, 96 L.Ed.2d 282 (1987) for review of prison decisions that infringe on the constitutional rights of prisoners, rather than the standard articulated in Procunier v. Martinez, 416 U.S. 396, 94 S.Ct. 1800, 40 L.Ed.2d 224 (1974), would have resulted in a different outcome. In making that argument they ignore both the record below and the standard applied by the district court. Because they could not support their censorship with

any objective evidence, they lose under Procunier. Because their censorship was an unreasonable and exaggerated response to a non-problem, they lose under Turner and O'Lone.

This case involves more than "prisoner's rights." The Florida Department of Corrections has told an admittedly bona fide religious group that its publications, including a slightly modified edition of the King James version of the Bible, will be excluded unless and until the faith deletes those portions of its religious writings that the defendants dislike. Moreover, contrary to their assertion (Petition for Certiorari, p. 9), defendants did not offer to remove material to which they objected and provide the remainder to the inmates. Instead, they told Yahweh Ben Yahweh, the spiritual leader of the Hebrew Israelites, that if specified text and pictures were removed "together with 'all derogatories [sic] comments concerning other faiths and

religions,'" that they would permit inmates to receive the publications. 641 F. Supp. at 321; A63.[7]

On the facts of this case, defendants did not lose because the district court applied the wrong standard. Instead, they lost because of a total lack of evidence to support their speculation and conjecture concerning the consequences of permitting the Hebrew Israelite religious literature to enter Florida's prisons.

The district court did not apply a strict scrutiny test. Because defendants had engaged in "subjective, content-based censorship of pure religious speech," (641 F. Supp. at 324; A80), the district court applied what it characterized as a "less restrictive means test." 641 F. Supp. at 323; A76. However, unlike the decision in

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7. Letter from defendant Counselman, the Head Chaplain, to Yahweh Ben Yahweh, dated September 16, 1985. Plaintiff's Trial Exhibit 86. A copy is attached as an Appendix to this brief.

Shabazz v. O'Lone, 782 F.2d 416, 420 (3d Cir. 1986)(en banc), the district court did not place the burden of proof on the defendants. Relying on Hernandez v. Estelle, 788 F.2d 1154 (5th Cir. 1986) to effect a balance between the retained constitutional rights of inmates and the deference to be afforded prison officials, the district court simply required the officials to "come forward with some objective evidence to justify the outright ban . . ." 641 F. Supp. at 328; A95. The defendants were not forced to prove the non-existence of all viable alternatives. All they were asked to do was support the alternative they chose with some objective proof.

In summarizing its decision, the district court stated:

> The Court's ruling here is equally grounded on its finding of fact, and as a matter of law, that the defendants have completely failed to show, by any objective evidence, that the introduction of Hebrew Israelite literature and/or the allowance to Hebrew Israelite inmates of the full range of worship opportunities enjoyed by

> members of other faiths would "encourage or advocate riot, insurrection, escape, disruption, violence or violation of [applicable] rules" or would present any "clear and substantial threat" to prison security.

641 F. Supp. at 329; A102.

The district court also recognized the essentially uncontradicted proof introduced by the plaintiffs that religious literature, even racist and derogatory religious literature, is not, and never has been deemed, the source of violence or other prison disruption, anywhere in the country.[8] 641 F. Supp. at 322; A69. Defendants offered no evidence to the contrary.[9]

Defendants protest that the district court failed to defer to their good faith judgment. But, for prison officials to be

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8. The defendants in Abbott v. Meese, 824 F.2d 1166 (D.C. Cir. 1987), cert. granted, 108 S.Ct. 1572 (1988) were also unable to connect literature with violence.

9. Indeed, their own expert testified that the only violence ever traced to religious materials happened when prison officials excluded Black Muslim religious literature. 641 F. Supp. at 320; A61.

entitled to deference, their decision to exclude must be reasonable. Where there is "substantial evidence in the record to indicate that the officials have exaggerated their response," Turner v. Safley, supra, 107 S.Ct. at 2260, quoting Pell v. Procunier, 417 U.S. 817, 827, 94 S.Ct. 2800, 2806, 41 L.Ed.2d 495 (1974), their entitlement to deference falls away. Thus, the inquiry is "whether a prison regulation that burdens fundamental rights is 'reasonably related' to legitimate penological objectives, or whether it represents an 'exaggerated response' to those concerns." Turner v. Safley, supra, 107 S.Ct. at 2261.

The test applied by the district court was more deferential than Procunier requires. The argument that Procunier "required the lower court to focus on whether the racist and inflammatory literature at issue presented a potential danger -- whether it was reasonably likely to cause prison violence or threaten security and order"

(Petition, p. 45), assumes the very facts at issue. It is nothing more than a rehash of their failure to adduce any objective evidence which would in any way support their claim that the Hebrew Israelite literature was dangerously inflammatory and carried a real potential for violence or other disruption of prison life. Plaintiffs proved that the literature was not inflammatory and did not pose a threat to security or order. Defendants offered nothing in rebuttal, other than speculation and conjecture. The district court focused, to the dismay of petitioners, on the lack of rebuttal evidence. On the evidence, there was no potential danger.

Furthermore, petitioners' argument that the decisions below conflict with authority in other circuits is disingenuous at best. For example, in Murphy v. Missouri Dept. of Corrections, 814 F.2d 1252, 1257 (8th Cir. 1987) the court held that "materials that advocate violence or that are so racially

inflammatory as to be reasonably likely to cause violence" could be excluded. Certainly, the holding in Murphy is correct. But petitioners' efforts to bring themselves under the Murphy umbrella, in the words of Judge Posner in another prison freedom of religion case, is "the piling of conjecture upon conjecture." Reed v. Faulkner, 842 F.2d 960, 963 (7th Cir. 1988).

Most inexplicable is petitioners' effort to find comfort in McCabe v. Arave, 827 F.2d 634 (9th Cir. 1987). That court applied the Turner standard, not the Procunier standard, to a prison's exclusion of religious literature and held "that literature advocating racial purity, but not advocating violence or illegal activity as a means of achieving this goal, and not so racially inflammatory as to be reasonably likely to cause violence at the prison," could not be excluded. 827 F.2d at 638. The district court, sub judice, reached the same result.

Petitioners fail to cite Hernandez v.

Estelle, 788 F.2d 1154 (5th Cir. 1986), from which the district court derived its objective factors test. The Fifth Circuit there approved of prison censorship because the prison officials were able to identify specific events in support of their claim of need. Unlike the Texas officials, petitioners could not identify any specific events which provided a foundation for their speculative predictions.

A fair reading of the Hebrew Israelite literature demonstrates that it does not advocate or encourage any type of illegal or ilicit activity. Indeed, the Jail Ministry Notebook enjoins Hebrew Israelites to abide by prison rules and regulations and befriend the staff. 641 F. Supp. at 316; A45. Even the reduced protection of fundamental constitutional rights afforded by Turner and O'Lone is not enough to permit censorship of religious literature in the face of overwhelming proof that the position of the Florida prison officials is supported by

nothing more than conjecture and speculation.

The total lack of support for defendants' subjective fears is made evident by the fact that Hebrew Israelites and their literature have been in Florida jails and prisons since 1981.[10] Over the course of many years and hundreds of inmates, defendants could only point to two non-violent incidents involving individuals who professed to be Hebrew Israelites. 641 F. Supp. at 319; A96. There have been no breaches of security, no violence of any kind traced to the Hebrew Israelite publications.[11]

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10. At the time of class certification, the number of Hebrew Israelites in the Florida prison system, according to the defendants, totalled 59, scattered singularly or in small groups among 32,000 inmates at many separate prisons. Lawson v. Wainwright, 108 F.R.D. 450 (S.D. Fla. 1986). Whether defendants' estimate of 59, or plaintiff's original estimate of 75 Hebrew Israelite inmates is correct, the small numbers involved speak loudly to the overreaction of the defendants.

11. The district court did not require defendants to refrain from acting until after (fn. cont. next page)

The Hebrew Israelite literature is remarkably similar to the Black Muslim literature of the sixties and early seventies. The same reasons advanced years ago to keep Black Muslim literature out of the prisons was being paraded in court again to keep Hebrew Israelite literature out. The district court was strongly influenced by the fact that the very similar Black Muslim literature was forced into Florida prisons by way of court order in 1971. Likewise, in Walker v. Blackwell, 411 F.2d 23 (5th Cir. 1969), Texas prisons were forced to admit comparable Black Muslim religious literature. Other prison systems around the country were also forced to admit the early

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actual violence occurred as the result of admitting Hebrew Israelite literature. It merely found that five years of no violence or other disruption was a good predictor of the future. The absence of any efforts to lift the injunction requiring admission of Hebrew Israelite literature in the nearly two years that it has been in effect serves to confirm the district court's finding that defendants fears were based on nothing more than speculation and conjecture.

Black Muslim literature.[12] The respondents were unable to offer any evidence of violence or disruption as the result of these decisions.[13] 641 F. Supp. at 320; A60.

The introduction of Black Muslim religious literature had only positive effects on prison security and discipline because it improved the inmate's self-image and, therefore, decreased the likelihood of violence. 641 F. Supp. at 322; A68. Indeed, the former Director of the Pennsylvania Department of Corrections testified that while his agency first fought the admission

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12. Decisions varied, some courts requiring admission of Black Muslim literature and some finding it so inflammatory as to be properly excluded. See, e.g., Abernathy v. Cunningham, 393 F.2d 775, 779 n.5 (4th Cir. 1968); Sostre v. McGinnis, 334 F.2d 906 (2d Cir.), cert. deneid, 379 U.S. 892 (1964).

13. When read quotes from some of the Black Muslim literature at issue in Walker during cross examination, the prison system's Security Administrator, who assumed the quotes came from the Hebrew Israelite literature, testified that it should be excluded. Why the same literature would lead to violence when possessed by Hebrew Israelites but not when possessed by Black Muslims was not explained.

of Black Muslim literature, its subsequent admission had only positive effects on security and discipline in the prisons. 641 F. Supp. at 322; A68.

The district court did not reach its decision by choosing to credit the testimony of the plaintiffs and ignoring the testimony of the defendants. That, of course, would be the epitome of failing to afford deference. Instead, the district court canvassed all the evidence and concluded that the defendants' position was premised solely on speculation and conjucture; on predictions which ignored a long track record demonstrating that religious literature does not cause prison violence or disruption.

The defendants were unable to identify any objective factors which would support their decision-making.[14] Although the

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14. One of defendants' two experts would have permitted all of the literature into minimum and medium security prisons. The other would have permitted most of the literature into all prisons.

district court, without the benefit of the decisions in Turner and O'Lone, used different terminology, it is clear that the basis of its decision was the finding that the defendants' censorship was an exaggerated response to a content-based distaste for religious beliefs outside the mainstream of contemporary American thought.

Because the standard established by the Admissible Reading Material Rule for exclusion of literature is not at issue, because the district court did not use strict scrutiny and did not place the burden of proof on the defendants, and because the record establishes the exaggerated response of prison officials to religious materials which are obviously personally distasteful to them, certiorari should not be granted to review a purely factual matter.

B.

PROCUNIER V. MARTINEZ ESTABLISHED AN APPROPRIATE STANDARD TO TEST SUBJECTIVE, CONTENT-BASED, CENSORSHIP OF PURE RELIGIOUS SPEECH BY PRISON OFICIALS

This Court will soon consider whether the intermediate scrutiny standard of Procunier v. Martinez, 416 U.S. 396, 94 S.Ct. 1800, 40 L.Ed.2d 224 (1974), or the far more relaxed standard of Turner v. Safley, U.S. _____, 107 S.Ct. 2254, 96 L.Ed.2d 64 (1987), or some other standard, applies when prison censorship decisions impact on publishers as well as inmates. Abbott v. Meese, 824 F.2d 1166 (D.C. Cir. 1987), cert. granted, 108 S.Ct. 1572 (1988).

The issues in Abbott, however, are far different from the instant case. First, of course, in Abbott the censorship rules were attacked as facially invalid. In the instant matter, on the other hand, it was conceded that the Florida Rule sets forth the appropriate standards for determining

when literature could be excluded. The instant case does not challenge the right of the defendants to exclude written materials when there is some objective proof linking the written word to potential violence or disruption. Instead, the instant case presents a narrow challenge to content- and viewpoint-based censorship of religious literature which is personally distasteful to Protestant prison chaplains.

Second, although the publications at issue in Abbott were not described in detail, none appear to be from religious groups or religious in nature. In the instant matter, on the other hand, the publications come from a bona fide religious group and are religious in nature. The respondents' strained effort to distinguish the interest of the letter writter from the interest of the religious leader providing his flock with the written word (Petition, p. 26) is not helpful. Nor does this case involve mass mailings. Instead, it involves

the total denial of one of our most fundamental rights. Absent some objective proof of need, no prison official should be permitted such an unlimited constitutional intrusion.

Respondents suggest that the Procunier standard far better accommodates the sometimes competing interests of prisoners, prison officials, and religious publishers. Petitioners have made no showing, either below, or in their Petition, that the application of the Procunier standard has led to detrimental interference in the day to day operation of any prison system. Furthermore, they have made no showing that the outcome of this matter would be any different if the Turner standard were applied. Because the censorship decisions of the petitioners implicate the fundamental rights of both prisoners and publishers of religious literature, and because the record establishes the exaggerated and unreasonable response of the defendants to benign litera-

ture, respondents suggest that the granting of certiorari in this matter is not appropriate.

CONCLUSION

For the above reasons, the petition for a writ of certiorari should be denied.

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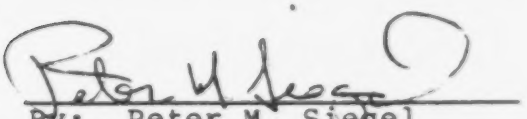
ATTORNEYS FOR RESPONDENTS



By: Peter M. Siegel

* Counsel of Record, Member of the Bar of the Court

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APPENDIX

Plaintiffs' Trial Exhibit 86,
Letter from defendant Counselman
to Yahweh Ben Yahweh A2

FLORIDA
DEPARTMENT of
CORRECTIONS

Governor
BOB GRAHAM
Secretary
LOUIE L. WAINWRIGHT

1311 Winewood Boulevard, Tallahassee, Florida 32301 • Telephone: 904/488-5021

September 16, 1985

Mr. Yahweh Ben Yahweh
P.O. Box 420
Hollywood, Florida 33022

Dear Mr. Yahweh:

The Department of Corrections has evaluated the religious material of the Temple of Love and have determined that the filing of religious materials will be permitted to be mailed to inmates at the Department of Correction Facilities so long as the noted pages are removed and all derogatories comments concerning other faiths and races are removed.

A) The Devine Dietary Laws for Hebrew Israelites.
B) The Holy Bible as written for Hebrew Israelites.

This Bible is acceptable for distribution within the Deapartment of Corrections once the following pictures are removed. The pictures between 120 and 121 entitled "Victims of Hate", "White people Hate Blacks Forever", "Slave Killings by Whites". The picture titled "Little Horn Symbol of Pope" on pages 752 - 753 and the picture "The First Beast" and "The Dragon-Pope of Rome - 666" on pages 1068 - 1069.

C) "Let my People Go", acceptable when derogatories references noted above are removed.

D) "Yahweh, God of Gods, Hebrew Israelite Jail Ministry" and "Lambs Letter". Acceptable once derogatory comments as noted above are removed.

E) "You are not a Nigger, Yahweh, God of Gods" acceptable for distribution once the following pages are removed; 16, 17, 21, 22, 24-27, 32-36, 43, 46, 47, 52, 63-65, 68, 71, 73, 74, 76, 86, as well as all derogatory references to other races or religions.

The policiy of the Department of Corrections is to permit inmates to have the greatest freedom of religious expression permissable within the context of maintaining institutional security, order and a rehabilitative environment.

It is also our policy that inmates have the right to believe anything they wish in their religious context but that they are not permitted to act out these beliefs when security order and rehabilitation may be indangered. To this end inmates who are of the Hebrew Israelite faith will be permitted to have prayer meetings in the same fashion as all other inmates of other religious faiths and Hebrew Israelite Elders will be permitted to conduct services within the Department of Corrections facilities so long as the services do not infringe upon the security order of the institution and the Elders involved contact the institution Chaplain in sufficient time for the legistics of the service to be worked out.

Additionally, if you should have futher publications which you wish to have sent to Hebrew Israelite inmates, it might speed the process some what if you were to first send them to me for my review. Thank you for your time.

Sincerely,

LOUIE L. WAINWRIGHT, SECRETARY

William E. Counselman
William E. Counselman
Correctional Chaplaincy
Services Administrator

WEC/jg

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CERTIFICATE OF SERVICE

I hereby certify that I am a member of the Bar of this Court and that, in accordance with Rule 28.3, I have served three copies of the annexed Brief in Opposition to the Granting of a Writ of Certiorari on the attorneys of record by placing a copy in the

United States mail, first class mail, postage prepaid, addressed as follows:

Robert A. Butterworth
Attorney General

Jason Vail
Assistant Attorney General

Counsel for Petitioners
Department of Legal Affairs
The Capitol, Suite 1501
Tallahassee, Fla. 32399

All parties required to be served have been served. Done this 24 day of June, 1988.

Peter M. Siegel, Esq.

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